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Kenneth B. Paley
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Seventh Floor
12400 Wilshire Boulevard
Los Angeles, CA 90025-1026

EXAMINER

PHUNKULH, BOB A

ART UNIT	PAPER NUMBER
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2616

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/08/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/753,004

Applicant(s)

VENKATARAMAN ET AL.

Examiner

Bob A. Phunkulh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-16, 18-20 and 26-58 is/are rejected.
- 7) ☒ Claim(s) 4, 5 and 17-25 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some.* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Request for Continued Examination

The request filed on 11/13/2006 for a Request for Continued Examination (RCE) under 37 CFR 1.114 based on parent Application No. 09/753004 is acceptable and a RCE has been established. An action on the RCE follows:

This communication is in response to applicant's 11/13/2006 amendment/responses in the application of **VENKATARAMAN et al.** for **"METHOD AND APPARATUS FOR CLEARING A LARGE NUMBER OF CONNECTIONS IN AN ATM NETWORK"** filed 12/19/2000. The amendments/response to the claims have been entered. No claims have been canceled. No claims have been added. Claims 1-58 are now pending.

Claim Objections

Claims 37-51 are objected to because of the following informalities: please correct the claimed subject matter "machine-readable medium" to —computer-readable medium—to avoid potential non-statutory subject matter. Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

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Claims 37-51 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claimed subject matter "machine-readable medium" is directed toward a non functional descriptive material per se. When nonfunctional descriptive material is recorded on some computer-readable medium in a computer or on an electromagnetic carrier signal (see page 8 of the applicant's specification), It is not statutory since no requisite functionality is present to satisfy the practical application requirement.

The interim guideline for subject matter eligibility is available on USPTO website at:

http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/guidelines101_20051026.pdf.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 6-15, 18-20, 26-30, 32-45, 48-49, 51-55, 57-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Nishikado* et al. (US 6,366,582), hereinafter *Nishikado*.

Regarding claim 1, *Nishikado* discloses a method comprising:

clearing of a plurality of first connections between a first node (between at least two exchanges) and a second node of an ATM network from the first node; and

for each said clearing, sending a first message (RELEASE message) comprising a signal bulk release message from the first node to the second containing an identification of the first connections (logical connections in the communication network are thus controlled in a uniform manner as a connection group or a plurality of connection groups. Even a logical connection passing through a plurality of connection switching exchanges has only one connection identifier. A connection switching exchange is requested to set up or release logical connections in group units, each of which comprise logical connections having consecutive identifiers, see col. 5 lines 28-62; col. 4 lines 40-57; and col. 41 lines 11-44).

As shown in figure 1, each exchanges are interconnected by link 2. *Nishikado* further disclose that a connection switching exchange is requested to set up or release logical connections in group units, each of which comprise logical connections having consecutive identifiers as described above. In more detail, each connection switching exchange has a connection setup/release mechanism for executing a function to carry out processing to set up and release logical connections in group units in accordance with a command received from the connection management means employed in the network management unit by way of the operation-control communication line (see col. 5 line 44-54). Therefore, each exchanges receives the setup/release command from the network management unit and directly communicate between the at least two exchanges to setup/release connections in group.

Regarding claim 2, *Nishikado* discloses receiving the first message at the second node; clearing the first connections from the second node in response to the received first message; and sending a single second message from the second node to the first node in response to at least one of clearing the first connections from the second node and receiving the first message identifying at least one of the connections cleared in response to the received first message, and the first message (a connection switching exchange is requested to set up or release logical connections in group units, each of which comprise logical connections having consecutive identifiers, see col. 26-62).

Regarding claim 3, *Nishikado* inherently discloses enabling an interpretation of the received first message wherein the clearing from the second node depends upon the enabling (in order to receive data/messages both the exchanges or nodes must be enable).

Regarding claim 6, *Nishikado* discloses a method comprising:
receiving a first message comprising a single bulk release message by a first node of an ATM network from a second node
of the ATM network connected to the first node by at least one first connections;
clearing the first connections from the second node in response to receiving the first message; and

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sending a second message from the first node to the second node identifying at least one of the first connections cleared from the second node and the first message (Logical connections in the communication network are thus controlled in a uniform manner as a connection group or a plurality of connection groups. Even a logical connection passing through a plurality of connection switching exchanges has only one connection identifier. A connection switching exchange is requested to set up or release logical connections in group units, each of which comprise logical connections having consecutive identifiers, see col. 5 lines 28-62; col. 4 lines 40-57; and col. 41 lines 11-44).

As shown in figure 1, each exchanges are interconnected by link 2. *Nishikado* further disclose that a connection switching exchange is requested to set up or release logical connections in group units, each of which comprise logical connections having consecutive identifiers as described above. In more detail, each connection switching exchange has a connection setup/release mechanism for executing a function to carry out processing to set up and release logical connections in group units in accordance with a command received from the connection management means employed in the network management unit by way of the operation-control communication line (see col. 5 line 44-54). Therefore, each exchanges receives the setup/release command from the network management unit and directly communicate between the at least two exchanges to setup/release connections in group.

Regarding claim 7, the *Nishikado* inherently discloses enabling an interpretation of the received first message wherein the clearing from the second node depends upon the enabling (enabling is inherent feature since the exchanges need ability to identify the release message for the identified connection group).

Regarding claim 8, *Nishikado* discloses including clearing the first connections from the second node; and wherein the first message includes an identification of the first connections (a connection switching exchange is requested to set up or release logical connections in group units, each of which comprise logical connections having consecutive identifiers, see col. 5 lines 26-62).

Regarding claim 9, *Nishikado* discloses a method of clearing a plural number of connections between a first node and a second node in an Asynchronous Transfer Mode network including:

 sending at least one first message from the first node to the second node, each first message including an identification of at least one of each of a plural number of first connections to be cleared from the second node by the first message, and

 each of a plural number of first connections that is one of cleared from the first node and to be cleared from the first node (logical connections in the communication network are thus controlled in a uniform manner as a connection group or a plurality of connection groups. Even a logical connection passing through a plurality of connection

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switching exchanges has only one connection identifier. A connection switching exchange is requested to set up or release logical connections in group units, each of which comprise logical connections having consecutive identifiers, see col. 5 lines 28-62; col. 4 lines 40-57; and col. 41 lines 11-44).

As shown in figure 1, each exchanges are interconnected by link 2. *Nishikado* further disclose that a connection switching exchange is requested to set up or release logical connections in group units, each of which comprise logical connections having consecutive identifiers as described above. In more detail, each connection switching exchange has a connection setup/release mechanism for executing a function to carry out processing to set up and release logical connections in group units in accordance with a command received from the connection management means employed in the network management unit by way of the operation-control communication line (see col. 5 line 44-54). Therefore, each exchanges receives the setup/release command from the network management unit and directly communicate between the at least two exchanges to setup/release connections in group.

Regarding claim 10, *Nishikado* discloses for each said first message, clearing from the first node each the first connection (a connection switching exchange is requested to set up or release logical connections in group units, each of which comprise logical connections having consecutive identifiers, see col. 26-62).

Regarding claim 11, *Nishikado* discloses the first message is consistent with an Asynchronous Transfer Mode formatted message (*release message is consistent with the ATM format*, abstract).

Regarding claim 12, *Nishikado* discloses enabling the first node to send the first message before the sending (in order to receive data/messages both the exchanges or nodes must be enable).

Regarding claim 13, *Nishikado* discloses sending is in response to a requirement for a clearing of a plural number of first node connections (see col. 8 lines 12-42).

Regarding claim 14, *Nishikado* discloses sending is in response to an event that includes at least one of

- a received Physical interface reset command,

- a received Virtual interface reset command,

- a received Datalink Layer Service-Specific Connection-Oriented Protocol reset,

- a received Global path ATM Forum defined RESTART message,

- a received Virtual Path ATM Forum defined RESTART message,

- a received plural number of RELEASE messages, and

- a received Force Reroute in a Semi-Permanent Switched Virtual Circuit based network (a request for release, see col. 8 lines 12-42).

Regarding claim 15, *Nishikado* discloses the first message includes at least an identification of each of the first connections to be cleared from the second node, and further including:

the second node receiving the first message, and
the second node clearing each of the connections in the second node identified as to be cleared from the second node in the first message in response to receiving the first message (see col. 8 lines 12-42).

Regarding claim 18, *Nishikado* inherently discloses enabling the second node to receive the first message before the receiving (in order to receive data/messages both the exchanges or nodes must be enable).

Regarding claim 19, *Nishikado* inherently discloses sending at least one of a second message to the first node identifying the connections cleared by the second node in response to the second node receiving the first message, and a second message to the first node identifying the first message received by the second node (it is well know in the art that the release complete message is sent from the second exchange to the first exchange in response to the release message, see admitted prior art pages 1-2).

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Regarding claim 20, *Nishikado* inherently discloses enabling the second node to send the first message before the sending (in order to receive data/messages both the exchanges or nodes must be enable).

Regarding claim 26, *Nishikado* inherently discloses enabling the first node to send the second message before the sending (in order to received the release complete message the first exchange must be enable).

Regarding claim 27, *Nishikado* discloses an Asynchronous Transfer Mode (ATM) node that includes

a first circuit that generates an inter-nodal call control first message comprising a single bulk release message containing an identification of at least one of

each of a plural number of first connections to be cleared at an ATM first node to be coupled to the ATM node, and

each of a plural number of first connections that is one of cleared from the ATM node and to be cleared from the ATM node; and a second circuit to transmit the first message to the first node (logical connections in the communication network are thus controlled in a uniform manner as a connection group or a plurality of connection groups. Even a logical connection passing through a plurality of connection switching exchanges has only one connection identifier. A connection switching exchange is requested to set up or release logical connections in group units, each of which

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comprise logical connections having consecutive identifiers, see col. 5 lines 28-62; col. 4 lines 40-57; and col. 41 lines 11-44).

As shown in figure 1, each exchanges are interconnected by link 2. *Nishikado* further disclose that a connection switching exchange is requested to set up or release logical connections in group units, each of which comprise logical connections having consecutive identifiers as described above. In more detail, each connection switching exchange has a connection setup/release mechanism for executing a function to carry out processing to set up and release logical connections in group units in accordance with a command received from the connection management means employed in the network management unit by way of the operation-control communication line (see col. 5 line 44-54). Therefore, each exchanges receives the setup/release command from the network management unit and directly communicate between the at least two exchanges to setup/release connections in group.

Regarding claim 28, the *Nishikado* discloses a circuit to enable one of the generation of the first message and the transmission of the first message, in response to an input if the ATM node was disabled; and to disable the ATM node from one of the generation of the first message and the transmission of the first message in response to an input if the ATM node was enabled (in order to received the release complete message the first exchange must be enable; and a connection switching exchange is requested to set up or release logical connections in group units, each of which comprise logical connections having consecutive identifiers, see col. 5 lines 28-62).

Regarding claim 29, the *Nishikado* discloses a circuit to clear each of the first connections (A connection switching exchange is requested to set up or release logical connections in group units, each of which comprise logical connections having consecutive identifiers, see col. 5 lines 28-62).

Regarding claim 30, *Nishikado* discloses a circuit to receive a second message containing an identification of at least one of each of a plural number of second connections that is one of cleared from a first node and to be cleared from the first Node (the RELEASE COMPLETE message, see pages 1 and 2).

Regarding claim 32, *Nishikado* discloses a circuit to receive and interpret a second message from a coupled second node that contains an identification of a plural number of second connections; and a circuit to clear the second connections from the ATM node A connection switching exchange is requested to set up or release logical connections in group units, each of which comprise logical connections having consecutive identifiers, see col. 5 lines 28-62).

Regarding claim 33, *Nishikado* discloses a circuit to send a third message from the ATM node to the second node that identifies a plural number of third connections, the third connections characterized by at least one of the connections cleared by the ATM node in response to the second message, and the second connections A

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connection switching exchange is requested to set up or release logical connections in group units, each of which comprise logical connections having consecutive identifiers, see col. 5 lines 28-62).

Regarding claim 34, *Nishikado* discloses An Asynchronous Transfer Mode (ATM) node (the ATM exchange) that includes a first circuit to receive and interpret a first message from a first node (another ATM exchange receives the release request from a terminating node, see col. 8 lines 12-42) that contains an identification of a plural number of first connections; and a second circuit to clear the first connections from the ATM node (Logical connections in the communication network are thus controlled in a uniform manner as a connection group or a plurality of connection groups. Even a logical connection passing through a plurality of connection switching exchanges has only one connection identifier. A connection switching exchange is requested to set up or release logical connections in group units, each of which comprise logical connections having consecutive identifiers, see col. 5 lines 28-62; col. 4 lines 40-57; and col. 41 lines 11-44).

As shown in figure 1, each exchanges are interconnected by link 2. *Nishikado* further disclose that a connection switching exchange is requested to set up or release logical connections in group units, each of which comprise logical connections having consecutive identifiers as described above. In more detail, each connection switching exchange has a connection setup/release mechanism for executing a function to carry out processing to set up and release logical connections in group units in accordance

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with a command received from the connection management means employed in the network management unit by way of the operation-control communication line (see col. 5 line 44-54). Therefore, each exchanges receives the setup/release command from the network management unit and directly communicate between the at least two exchanges to setup/release connections in group.

Regarding claim 35, *Nishikado* inherently discloses a third circuit to send an ATM inter-nodal call control second message from the ATM node to the first node that identifies a plural number of second connections, the second connections characterized by at least one of the connections cleared by the ATM node in response to the first message, and the first connections (Logical connections in the communication network are thus controlled in a uniform manner as a connection group or a plurality of connection groups. Even a logical connection passing through a plurality of connection switching exchanges has only one connection identifier. A connection switching exchange is requested to set up or release logical connections in group units, each of which comprise logical connections having consecutive identifiers, see col. 5 lines 28-62).

Regarding claim 36, the *Nishikado* inherently discloses a circuit to enable the first circuit to interpret the first message in response to an enabling input (in order to receive data/messages both the exchanges or nodes must be enable).

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Regarding claim 44, *Nishikado* discloses a machine-readable medium that provides instructions, which when executed by at least one processor (inherent feature in the ATM first node), cause said processor to perform operations comprising preparing at least one first message comprising a single bulk release message to be sent from a first node of an ATM network (the first exchange 1-1, see figures 1 and 2) to a second node of an ATM network (the second exchange 1, see figures 1 and 2), each first message including an identification of a first connections to be cleared from the second node by the first message (Logical connections in the communication network are thus controlled in a uniform manner as a connection group or a plurality of connection groups. Even a logical connection passing through a plurality of connection switching exchanges has only one connection identifier. A connection switching exchange is requested to set up or release logical connections in group units, each of which comprise logical connections having consecutive identifiers, see col. 5 lines 28-62; col. 4 lines 40-57; and col. 41 lines 11-44).

Regarding claim 45, the *Nishikado* discloses for each said first message, clearing from the first node each said first connection (A connection switching exchange is requested to set up or release logical connections in group units, each of which comprise logical connections having consecutive identifiers, see col. 5 lines 28-62).

Regarding claim 48, *Nishikado* discloses the first message is consistent with an Asynchronous Transfer Mode formatted message (see abstract).

Regarding claim 49, *Nishikado* discloses interpreting a second message consistent with an Asynchronous Transfer Mode formatted message received from an ATM network node wherein the second message includes an identification of each of a plural number of connections to be cleared from the first node (A connection switching exchange is requested to set up or release logical connections in group units, each of which comprise logical connections having consecutive identifiers, see col. 5 lines 28-62).

Regarding claim 50, *Nishikado* discloses clearing each of the connections in the first node identified as to be cleared in the second message in response to interpreting the second message (A connection switching exchange is requested to set up or release logical connections in group units, each of which comprise logical connections having consecutive identifiers, see col. 5 lines 28-62).

Regarding claim 51, *Nishikado* discloses preparing at least one of a third message to the ATM network node identifying the connections cleared by the first node in response to the first node interpreting the second message, and a third message to the ATM network node identifying the second message received by the first node (A connection switching exchange is requested to set up or release logical connections in group units, each of which comprise logical connections having consecutive identifiers, see col. 5 lines 28-62; and it is well known in the art that the

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release complete message is sent from the second exchange to the first exchange in response to the release message, see admitted prior art pages 1-2).

Regarding claim 52, *Nishikado* discloses an Asynchronous Transfer Mode (ATM) node that includes means for generating an inter-nodal call control first message type comprising a single bulk release message that is to identify at least one of each of a plural number of first connections to be cleared at an ATM first node coupled to the ATM node, and each of a plural number of first connections that is one of cleared from the ATM node and to be cleared from the ATM node; and means for transmitting the first message to the first node (A connection switching exchange is requested to set up or release logical connections in group units, each of which comprise logical connections having consecutive identifiers, see col. 5 lines 28-62; and it is well known in the art that the release complete message is sent from the second exchange to the first exchange in response to the release message, see admitted prior art pages 1-2).

As shown in figure 1, each exchanges are interconnected by link 2. *Nishikado* further disclose that a connection switching exchange is requested to set up or release logical connections in group units, each of which comprise logical connections having consecutive identifiers as described above. In more detail, each connection switching exchange has a connection setup/release mechanism for executing a function to carry out processing to set up and release logical connections in group units in accordance with a command received from the connection management means employed in the network management unit by way of the operation-control communication line (see col.

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5 line 44-54). Therefore, each exchanges receives the setup/release command from the network management unit and directly communicate between the at least two exchanges to setup/release connections in group.

Regarding claim 53, *Nishikado* inherently discloses means for enabling one of the generation of the first message and the transmission of the first message, in response to an input if the ATM node was disabled, and for disabling one of the generation of the first message and the transmission of the first message in response to an input if the first node was enabled (in order to receive the release message the first exchange must be enable).

Regarding claim 54, *Nishikado* discloses means for clearing each of the first connections (A connection switching exchange is requested to set up or release logical connections in group units, each of which comprise logical connections having consecutive identifiers, see col. 5 lines 28-62)

Regarding claim 55, *Nishikado* discloses means for receiving a second message type containing an identification of at least one of each of a plural number of second connections in response to the first node receiving the first message type that is one of cleared from a second node and to be cleared from the second node (A connection switching exchange is requested to set up or release logical connections in group units, each of which comprise logical connections having consecutive

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identifiers, see col. 5 lines 28-62; and it is well know in the art that the release complete message is sent from the second exchange to the first exchange in response to the release message, see admitted prior art pages 1-2).

Regarding claim 57, *Nishikado* discloses means for receiving a first message type from a second node, the third message type containing an identification of a plural number of second connections; means for interpreting the received first message type; and means for clearing the second connections from the ATM node in response to the interpreting (A connection switching exchange is requested to set up or release logical connections in group units, each of which comprise logical connections having consecutive identifiers, see col. 5 lines 28-62; and it is well know in the art that the release complete message is sent from the second exchange to the first exchange in response to the release message, see admitted prior art pages 1-2)..

Regarding claim 58, *Nishikado* discloses means for sending a second message type from the ATM node to the second node that identifies a plural number of third connections, the third connections characterized by at least one of the connections cleared by the ATM node in response to the interpreting, and the second connections (A connection switching exchange is requested to set up or release logical connections in group units, each of which comprise logical connections having consecutive identifiers, see col. 5 lines 28-62; and it is well know in the art that the release complete message is sent from the second exchange to the first exchange in response to the release message, see admitted prior art pages 1-2).

Regarding claims 37 and 40, *Nishikado* discloses a machine-readable medium that provides instructions, which when executed by at least one processor, cause and processor to perform operations comprising receiving an inter-nodal message by an ATM node that includes a plurality of identified connections to clear from the node (a group of logical connections with a fixed group size and consecutive identifiers assigned to the connections is treated as a unit; the logical connections are set up and released in connection setting units each equal to a multiple of the group size in a unitary manner across the whole communication network, see abstract).

As shown in figure 1, each exchanges are interconnected by link 2. *Nishikado* further disclose that a connection switching exchange is requested to set up or release logical connections in group units, each of which comprise logical connections having consecutive identifiers as described above. In more detail, each connection switching exchange has a connection setup/release mechanism for executing a function to carry out processing to set up and release logical connections in group units in accordance with a command received from the connection management means employed in the network management unit by way of the operation-control communication line (see col. 5 line 44-54). Therefore, each exchanges receives the setup/release command from the network management unit and directly communicate between the at least two exchanges to setup/release connections in group.

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Regarding claims 38, 41, *Nishikado* discloses the operation includes a transaction identification (assigns a connection identifier to logical connections passing through a plurality of connection switching exchanges, see claim 1).

Regarding claims 39, 42-43, *Nishikado* discloses the second and first message includes the transaction identification (issues a command to set up or release (types of message) logical connections in one of said group units with consecutive connection identifiers in said group unit to said connection switching exchanges by way of operation-control communication lines, see claim 1).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 16, 31, 46, 50, and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Nishikado* in view of Morris et al. (US 6,275,493), hereinafter Morris.

Regarding claims 16, 31, 46, 50, and 56, the *Nishikado* fails to explicitly disclose ATM node includes a database of the first connections that are cleared from the ATM node; and a data base of the first connections that are cleared from the ATM node from which are deleted the second connections in the received second message type.

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Morris, on the other hand, discloses ATM nodes, which include ATM switches and cross-connect apparatus, use routing tables to map VCI and VPI values received in an incoming cell to outgoing values used to select an outgoing link as a way of routing the associated cell through the ATM node.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made includes the teaching of Morris in the ATM nodes of *NISHIKADO* for the table or database is essential part of the ATM communication for maintaining the VCI/VPI for active connections.

Allowable Subject Matter

Claims 4-5, 17, 21-25, 47, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments filed 11/13/2006 have been fully considered but they are not persuasive.

As shown in figure 1, each exchanges are interconnected by link 2. *Nishikado* further disclose that a connection switching exchange is requested to set up or release logical connections in group units, each of which comprise logical connections having consecutive identifiers as described above. In more detail, each connection switching exchange has a connection setup/release mechanism for executing a function to carry

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out processing to set up and release logical connections in group units in accordance with a command received from the connection management means employed in the network management unit by way of the operation-control communication line (see col. 5 line 44-54). Therefore, each exchanges receives the setup/release command from the network management unit and directly communicate between the at least two exchanges to setup/release connections in group.

Conclusion

Any response to this action should be mailed to:

The following address mail to be delivered by the United States Postal Service (USPS) only:

Mail Stop _____
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

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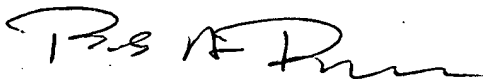
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bob A. Phunkulh** whose telephone number is **(571) 272-3083**. The examiner can normally be reached on Monday-Tuesday from 8:00 A.M. to 5:00 P.M. (first week of the bi-week) and Monday-Friday (for second week of the bi-week).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor **Wellington Chin**, can be reach on **(571) 272-3134**. The fax phone number for this group is **(571) 273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Bob A. Phunkulh
Primary Examiner
TC 2600
Technology Division 2616
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